THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9371 OF 1994

And

WRIT PETITION NO.14348 OF 2004

-

8th AUGUST, 2006

BETWEEN

Alluri Seetharama Raju and others.

… Petitioners

vs.

The Chief Secretary to Government, General Administration Department, Secretariat, Hyderabad and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION Nos.9371 OF 1994 and 14348OF 2004

COMMON ORDER:

The petitioners in both the writ petitions are the same. Their lands/houses were acquired for Visakhapatnam Steel Plant. In accordance with rehabilitation scheme, they were issued for 'R' cards and they were allotted house sites in Sector-I of Vadlapudi Rehabilitation Colony being plot Nos.2131 to 2135 by proceedings, dated 03.01.1990. The land allotted to them is admittedly comprised in survey No.35/1 of Vadlapudi. The petitioners allege that on an application made by the fifth respondent, namely, M.S.Chakravarthy, the respondents proposed to allot the same land to him for establishment of petroleum retail outlet or alternatively the petitioners allege that the land, which is proposed to be allotted is left as vacant for the purpose of green belt and therefore, the same cannot be allotted.

A counter affidavit is filed in W.P.No.14348 of 2004. It is stated in the counter affidavit as under (paras 3,4,5 and 6).

> It is submitted that the petitioners once the residents of Pedamadaka village and their lands and houses were acquired for Steel plant. The above individuals were issued "R" cards and house site plots were also allotted to them in the Sector-I of Vadlapudi Rehabilitation colony under plot numbers 2131 to 2135 vide proceedings Rc No.1346/83 RI dated 3-1-1990 of the Special Officer, L.A., Steel Plant, Visakhapatnam.
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> It is submitted that the land in S.No.35/2 measuring Acs.1.68 cts of Vadlapudi village in Gajuvaka Mandal was allotted by the Government in favour of Sri M.S.Chakravarti, i.e., 5th respondent vide G.O.Ms.No.436, Revenue (Asn-I) Dept dated 16-5-94 and that the handed over land lies in S.No.35/2A comprising Ac.1.32 cts only.
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> It is submitted that it is not correct to say that Sri M.S.Chakravarti, the respondent No.5 was allotted the land in S.No.35/1 in the plot numbers 2131 to 2135 as contended. Actually, he was allotted land in S.No.35/2.
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> It is submitted that it is not correct to say that the authorities have alienated the extent of Ac.1.68 cts including the extent covered by plot numbers 2131 to 2135, as the Mandal Revenue Officer, Gajuvaka has handed over an extent of Acs.1.32 cts of Vadlapudi village in S.No.35/2 only.

In view of the categorical statements made by the Joint Collector, Visakhapatnam, the apprehension of the petitioners that the land in survey No.35/1 is being allotted to sixth respondent is belied. The statement made by the Joint Collector is recorded and the writ petition No.9371 of 1994 is disposed of. In view of the orders passed in W.P.No.9371 of 1994, no further orders are necessary in W.P.No.14348 of 2004.

The writ petitions are accordingly disposed of. No costs.

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(V.V.S.RAO,J)

08.08.2006
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